

**DECLARATION OF JOSEPH CONNOLLY**

I, Joseph Connolly declare as follows:

1. I am an attorney licensed to practice law in California and before this Court. I am counsel of record for multiple defendants in this case, each of whom is a current or former licensee of Christian Audigier, Inc. I make this declaration based upon my own personal knowledge unless otherwise indicated.

2. On November 29, 2010, I participated in a Local Rule 7-3 conference regarding Plaintiff's motion for summary judgment. During that conference, Michael Bowse, counsel for Christian Audigier, Inc., indicated that defendants would need to depose Bryan Callan before opposing the motion for summary judgment Plaintiff was proposing to bring. Mr. Bowse explained why that deposition was important, and summarized some of the topics that would be conducted during that deposition. Regina Yeh, counsel for Plaintiff, stated that Plaintiff would not bring his motion for summary judgment until that deposition was conducted.

3. Further, Mr. Bowse asked whether counsel for Plaintiff would represent Mr. Callan in connection with that deposition and whether dates for the deposition could be coordinated through Plaintiff's counsel. Ms. Yeh stated that she believed her office would represent Mr. Callan, that the deposition could be coordinated through them and that she would speak with Mr. Donniger regarding securing dates from Mr. Callan.

Executed this 14<sup>th</sup> Day of December, 2010, at Los Angeles, California.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

By: /s/ Joseph Connolly  
Joseph Connolly

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2121 Avenue of the Stars, Suite 2400, Los Angeles, California 90067.

On December 14, 2010, I served the foregoing document described as: **DEFENDANT CHRISTIAN AUDIGIER, INC.'S EX PARTE APPLICATION TO CONTINUE HEARING ON MOTION FOR PARTIAL SUMMARY JUDGMENT; DECLARATIONS OF MICHAEL A. BOWSE AND JOSEPH CONNOLLY** on the parties in this action by serving:

See attached Service List.

☒ **By Serving** - ☐ the original ☒ a true copy thereof, as follows::

☐ **By Mail** enclosed in sealed envelopes addressed as above and delivering such envelopes as follows: I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Beverly Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **By Personal Service** enclosed in sealed envelopes addressed as above and delivering such envelopes as follows: I caused to be delivered such envelope by hand to the offices of the addressee(s).

☐ **By Overnight Express** enclosed in sealed envelopes addressed as above and delivering such envelopes as follows: I caused the envelope(s) to be deposited in the dropbox for Overnight Express office located at 2121 Avenue of the Stars, Los Angeles, California 90067, on \_\_\_\_\_, for delivery on the next-business-day basis to the offices of the addressee(s).

☒ **By E-Mail Electronic Transmission:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address(es) so indicated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on December 14, 2010, at Los Angeles, California.

☒ **FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

/s/ Kathy Hall  
Kathy Hall

**SERVICE LIST**

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